

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CRAIG A. CHILDRESS,

Plaintiff,

v.

S.A. GODINEZ, MICHAEL RANDLE, ROGER
WALKER, JOHN EVANS, ROBERT HILLIARD,
WILLIAM PEYTON, T.Y. BATES, ANGELA
WINSOR, R.G. EUBANKS, DANALYN WILSON,
GLADYSE TAYLOR and UNKNOWN PARTIES,

Defendants.

Case No. 12-cv-1230-JPG-DGW

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Craig A. Childress' objection (Doc. 39) to Magistrate Judge Donald G. Wilkerson's July 16, 2015, order (Doc. 37) indicating that, although the Court has granted Childress' motion for recruitment of counsel, the Court has been unsuccessful in its efforts to obtain a volunteer and that Childress must continue to proceed *pro se*. In his objection, Childress reiterates his need for counsel.

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). The Court may also *sua sponte* reconsider any matter determined by a magistrate judge. L.R. 73.1(a); *Schur v. L.A. Weight Loss Ctrs., Inc.*, 577 F.3d 752, 760 (7th Cir. 2009).

While the Court believes Magistrate Judge Wilkerson's order is not clearly erroneous or contrary to law, it also believes, for the reasons stated in its order granting recruitment of counsel, Childress should have counsel. Accordingly, the Court:

- **AFFIRMS** Magistrate Judge Wilkerson's July 16, 2015, order (Doc. 37);

- **OVERRULES** Childress' objection (Doc. 39); but
- **DIRECTS** Magistrate Judge Wilkerson to continue to attempt to recruit counsel for Childress, including but not limited to recruiting individual attorneys and inviting them to enter an appearance or move to withdraw from the case. Childress shall continue to proceed *pro se* until counsel is successfully recruited.

IT IS SO ORDERED.

DATED: August 4, 2015

s/ J. Phil Gilbert

**J. PHIL GILBERT
DISTRICT JUDGE**